

William S. Becker

71

1 Q. That would be more informal if you go up to
2 Philadelphia for a special session?

3 A. I'll separate formal from informal in this way
4 with respect to internal training. Formal training is
5 something that is mandated for the entire private
6 wealth management group, for example. It could be a
7 wealth management conference call where there is an
8 expert in Boston or Philadelphia or Pittsburgh and
9 everyone dials in and we have a formal presentation
10 book and we follow along, everyone does that. In
11 addition to that -- and there are many different
12 topics, could be wealth management, could be
13 investment management, whatever you would expect in a
14 large business like we are in.

15 Less formal training can be either at the
16 -- from your direct portfolio on an ongoing basis,
17 let's sit and talk about why this fund is doing what
18 it's doing and the current economic environment. It
19 could be a training that would require maybe a trip to
20 Philadelphia, for example, because there is someone in
21 Philadelphia that is really good on a particular
22 computer system or knows how to navigate through our
23 operations area to get specific tasks done. So, it
24 would be done for the Midlantic region. It wouldn't

B864

William S. Becker

72

1 be a nationally advertised teleconference, but anyone
2 that was in a role that had to do with that could go
3 and listen to that person who is the expert or who has
4 managed to develop some expertise in a specific area
5 and participate in that.

6 I believe at some point we started on-line
7 training. I don't remember whether it was this early,
8 though. That's how I am separating formal from
9 informal.

10 Q. To the best of your recollection at this time
11 there was no on-line training available yet?

12 A. I don't remember whether there was or not. I
13 don't remember how much we used Web X and that thing
14 at that point.

15 Q. That may have come later?

16 A. It might have been.

17 Q. Aside from the things you have talked about,
18 formal and informal, I think you have hinted on this
19 too, though, there can also be an informal day-to-day
20 training where your direct report tells you this is
21 the way you need to do this task the next time or you
22 didn't do a task completely correctly and you need to
23 do certain things differently the next time?

24 A. Yes.

B865

William S. Becker

73

1 Q. And that would have been your responsibility to
2 do that type of training?

3 A. Yes.

4 Q. And did you have a problem with the speed of
5 Linda Blozis' work, how quickly she worked?

6 A. I don't remember specifically how fast she
7 worked. I remember missing deadlines being
8 frustrating.

9 Q. I show you a document and ask that it be marked
10 Exhibit 6.

11 (Becker Deposition Exhibit No. 6 was marked
12 for identification.)

13 A. Okay.

14 Q. Have you ever seen this document before?

15 A. I don't remember seeing this.

16 Q. Calling your attention to Number Two in that
17 list there, do you ever recall Linda Blozis saying she
18 didn't have time to complete all of her work aside
19 from what you are seeing in this document?

20 A. I don't ever remember her telling me that with
21 respect to a specific job during the time that I had
22 assigned it to her.

23 Q. How about with respect to her job in general,
24 not a specific task or project or client, but just her

B866

William S. Becker

74

1 job in general?

2 A. I don't remember that specifically. We were
3 always busy. It's a small office. I don't remember
4 her specifically saying I just can't get all my work
5 done.

6 Q. And Linda Blozis was expected to prioritize her
7 projects, is that correct?

8 A. I would say with certain projects, yes, that's
9 accurate.

10 Q. And so certain projects would take priority
11 based on certain deadlines for client meetings or
12 other deadlines?

13 A. Yes.

14 Q. And so Linda Blozis would have to know which
15 project needed to be done first?

16 A. Yes.

17 Q. And Linda Blozis worked -- she was paid based
18 on a 37.5 hour work week, is that correct?

19 A. I believe that was the operating hours at that
20 time.

21 Q. And her pay was based on 37.5 hours, is that
22 correct?

23 A. I don't know the -- she was -- she wasn't paid
24 by the hour if that's what you are asking.

B867

William S. Becker

75

1 Q. I'm not asking if she is an hourly employee,
2 but her compensation was based on a 37.5 hour work
3 week, is that accurate?

4 MS. WILSON: Objection to form. You can
5 answer.

6 A. That was the standard number of hours in the
7 work week.

8 Q. So, that was the expectation as far as how many
9 hours an employee would work?

10 MS. WILSON: Objection to form. You can
11 answer.

12 A. Well, the expectation was always to get the
13 work done.

14 Q. And in her position you told us she was not an
15 hourly employee, correct?

16 A. Correct.

17 Q. She wasn't paid by the hour?

18 A. Right.

19 Q. And she wasn't paid for overtime, is that
20 correct?

21 A. That is correct.

22 Q. And did she ever make a statement that you
23 recall indicating that she was unwilling to work 50
24 hours when paid 37.5, paid for 37.5 hours?

B868

William S. Becker

76

1 A. I don't remember that specifically.

2 Q. Do you remember anything along those lines?

3 A. At various times I think we were all -- when
4 there is a lot of work to get done and you can't get
5 it done in a period of time, I don't know that she
6 didn't make that comment, similar to that. I don't
7 remember anything specific that this is a 60-hour a
8 week job, I can't do it in 37 and a half, I just don't
9 remember that specifically.

10 Q. You were saying something about we all felt --

11 A. I think any employee of a corporation at some
12 point is frustrated on what they can get done in a
13 particular day. So, at some point maybe she mentioned
14 something like that, maybe she didn't, I don't
15 remember specifically.

16 Q. And being slightly more specific than any
17 corporation with regard to Mellon in the Delaware
18 office did you feel like there was more work than
19 could be done in a standard work week?

20 A. No, no. Not on balance.

21 Q. What do you mean "not on balance"?

22 A. If you look at the workload throughout the
23 course of the year there was adequate time to get
24 those jobs done. Sometimes you can't control the flow

B869

1 of work. You can control when you have a client
2 meeting, you can't control when the phone rings and
3 unusual circumstances come up. So, to the extent that
4 we had things to accomplish there was time to do that
5 on the balance of the entire year. At certain times,
6 week-to-week, day-to-day, perhaps we were a little
7 overworked and some weeks we were underworked.

8 Q. What happens on weeks when an employee is
9 underworked, are they sent home early? Does that ever
10 happen at Mellon?

11 A. It happens on holidays or some slow days during
12 the summer we could let people go a little earlier
13 here, head to the beach for the weekend if there is
14 not -- that has happened.

15 Q. Did you ever do that with Linda Blozis?

16 A. I don't remember specifically. I'm sure that
17 there was a lot of latitude given in a small office
18 when we could.

19 Q. Did Mellon's portfolio officers make the
20 investment decisions and recommendations for clients?

21 A. Generally speaking for specific investments,
22 yes.

23 Q. And as far as making the recommendations the
24 assistants or portfolio administrators they don't make

William S. Becker

78

1 the recommendations, is that correct?

2 A. In more complex accounts I would agree with
3 that. A statement for some of the simpler accounts
4 where there is an investment policy guideline to
5 follow then certainly it's within the -- or should be
6 within the ability of the assistant to be able to do
7 the math necessary to align an account that is not in
8 policy to a policy.

9 Q. When you say "align an account that is not in
10 policy," can you explain what you mean by that?

11 A. Yes. When -- many times when assets come into
12 our organization they are not consistent with the way
13 we would like to see them with respect to matching the
14 client's objectives of what they want that money to do
15 with how Mellon would recommend that they diversify
16 those assets with respect to stocks and bonds and then
17 other asset classes within that allocation. So, what
18 needs to be done is to put a plan in place that will
19 allow the account to transition from the assets that
20 it has when it comes in the door to more closely
21 reflect the way Mellon recommends because that's what
22 clients pay us for, they pay us for that advice.

23 Q. For the most part that advice comes from
24 portfolio officers?

B871

William S. Becker

79

1 A. In more complex cases where there are a lot of
2 individual securities where a judgment needs to be
3 made as far as what particular stock to sell or when
4 it gets into more complex investing. In the simpler
5 matters it's really a function of we recommend that
6 you have 40 per cent in CAP stocks and we recommend a
7 different allocation and you basically put a dollar
8 in. I created a spread sheet that you put in a dollar
9 amount and it will then list what Mellon's
10 recommendations would be.

11 So, it's a calculation as opposed to a
12 judgement based on a more thorough analysis or more
13 thorough understanding of the economic circumstances
14 or the microeconomics of a particular company versus
15 another.

16 Q. If there is a less complex situation where
17 Mellon has a formula in place, a portfolio administra-
18 tor might be able to balance an account in that
19 situation?

20 A. Yes.

21 Q. But if there is some discretion with an invest-
22 ment situation and a recommendation needs to be made,
23 a portfolio officer would make the recommendation?

24 A. With respect to individual investments as

B872

William S. Becker

80

1 opposed to mutual funds, yes.

2 Q. I'm going to show you a document and ask that
3 it be marked Becker 7.

4 (Becker Deposition Exhibit No. 7 was marked
5 for identification.)

6 Q. Have you seen this document before?

7 A. Yes, I have.

8 Q. Is this an E-mail chain that includes some
9 E-mails sent by you?

10 A. Yes.

11 Q. And the E-mail at the top did you send that on
12 February 4, 2003?

13 A. Appears I did, yes.

14 Q. At that time were you working in the Delaware
15 office or had you moved on to the Philadelphia office
16 and your promotion to team leader?

17 A. I had moved to Philadelphia.

18 Q. At this point you were no longer Linda Blozis'
19 supervisor, is that correct?

20 A. That's correct.

21 Q. And did an issue arise regarding something that
22 refers to 30-day consecutive overdrafts?

23 A. Yes.

24 Q. And you wrote in here, "Not LB's fault," is

B873

William S. Becker

81

1 that correct?

2 A. Yes.

3 Q. Were you referring to Linda Blozis there?

4 A. Yes, I was.

5 Q. And that this issue was not her fault, is that
6 correct?

7 A. No. I would tend to think from the chain and
8 her response that it was with the three dots at the
9 end a frustration that I was sharing with Greg that
10 she wasn't taking responsibility for this report.

11 Q. Okay, but you wrote in here "Not LB's fault"?

12 A. I would say with three periods on the end that
13 would indicate that there could be more written there
14 than -- and I chose not to because it was indeed her
15 fault.

16 Q. Were you being sarcastic?

17 A. That would be sarcastic, yes.

18 Q. Do you know who officer number 201 refers to?

19 A. That was my officer number at the time.

20 Q. And if it was LB's fault, what did you think
21 that LB should have done to resolve this issue?

22 A. Well, my recollection is that overdrafts are
23 run daily. They have a weekly tickler. She refers to
24 a weekly tickler here. A lot of what her response is

B874

William S. Becker

82

1 has nothing to do with identifying an error. It has
2 nothing to do with the fact that the files weren't in
3 Delaware.

4 Q. That's not what I'm asking you. I'm asking you
5 what should she have done to resolve the issue?

6 A. Well, daily check the overdraft report and
7 identify what is overdrawn so that the overdraft can
8 be covered.

9 Q. And you didn't write that here, correct?

10 A. I didn't write that here because at that point
11 I let Greg know about what was going on because I was
12 no longer her supervisor. This was during the
13 transition period when obviously I was in Philadelphia
14 and she was down there.

15 Q. And you didn't tell Greg that's what needed to
16 be done by her or someone in the Delaware office?

17 A. This report is very basic and it should be done
18 on a regular basis more so than it had been done and
19 the overdraft would have been detected. I didn't
20 require any further explanation. That's one of the
21 most important reports that is run every day.

22 Q. And you didn't give any explanation here about
23 that to your colleague and former portfolio officer,
24 Greg Landis, or former co-worker or current co-worker?

B875

William S. Becker

83

1 A. I didn't need to give that. That's a basic
2 understanding. It's a responsibility that we have to
3 cover overdrafts in trust accounts.

4 MS. WILSON: Do you mind if we take a few
5 minutes break?

6 (Brief recess.)

7 Q. Were you familiar with a Cynthia Chambliss?

8 A. Yes.

9 Q. Was she an assistant in the Philadelphia
10 office?

11 A. Yes, she was Brendan's assistant.

12 Q. Did she ever provide training to Linda Blozis
13 at any point?

14 A. I believe she did. She generally provided
15 training for the team in that informal setting since
16 she was pretty good with the systems.

17 Q. When you say "the systems," are you referring
18 to computer systems or programs?

19 A. The systems, yes.

20 Q. Did you ever make a recommendation that Linda
21 Blozis go up to Philadelphia and have a session with
22 Cynthia Chambliss on training on computer systems or
23 any other areas where she needed further knowledge or
24 training?

B876

William S. Becker

84

1 A. I don't remember specifically making that
2 recommendation. I may have.

3 Q. At some point when you were working up in
4 Philadelphia did you see Linda Blozis in the
5 Philadelphia office working with Cynthia Chambliss or
6 receiving training from her?

7 A. After I took the new job in 2003?

8 Q. Yes, at any point in 2002.

9 A. I don't remember. I may have. I was in a
10 different part of the building -- another part of the
11 floor, rather.

12 Q. Were you aware that Brendan Gilmore had asked
13 Cynthia Chambliss to train Linda Blozis?

14 A. I believe I reviewed an E-mail that suggested
15 that. I believe it was after I had left that
16 position, though, left Delaware to take my other
17 position.

18 Q. Are you saying you received an E-mail in
19 preparation for the case or you reviewed an E-mail
20 while you were working at Mellon?

21 A. In preparation for the case.

22 Q. Did Cynthia Chambliss know how to review an
23 account that needs investment recommendations?

24 A. I believe so, yes.

B877

William S. Becker

85

1 Q. Can portfolio administrators receive training
2 on product knowledge?

3 A. From internally?

4 Q. Yes, internal training.

5 A. Yes.

6 Q. All the training we are talking about I thought
7 we were making a distinction between formal and
8 informal and you have used that term "internal
9 training" before, are you distinguishing internal from
10 the national teleconference to something else?

11 A. Internal refers to those formal and informal as
12 I mentioned before. There is also additional training
13 courses that are not sponsored by Mellon, it's a third
14 company provider that could sponsor training.

15 Q. Does Mellon ever pay for any of its employees
16 to take any of these courses with the third company?

17 A. There are certain courses that are offered that
18 Mellon will pay for. I don't recall specifically what
19 they are.

20 Q. And you never recommended that Linda Blozis
21 take any of those courses with the third party, is
22 that correct?

23 A. I don't remember if I did or didn't.

24 Q. Let me show you a document and ask that it be

B878

William S. Becker

86

1 marked Becker Exhibit 8.

2 (Becker Deposition Exhibit No. 8 was marked
3 for identification.)

4 Q. Take a moment to review that.

5 A. (Witness complies.) Okay.

6 Q. Calling your attention to the third paragraph
7 from the bottom, "I like," do you see that paragraph?

8 A. Yes, I do.

9 Q. Is it fair to say you liked Linda Blozis
10 personally?

11 A. Yes, that's very fair.

12 Q. And is it fair to say that you thought her
13 attitude overall was okay?

14 A. Yes, overall that's what I indicated from this.

15 Q. You make a reference to a former employee in
16 Delaware, do you see that?

17 A. Yes.

18 Q. Who were you referring to there?

19 A. I was referring to Katie Agne.

20 Q. And you were indicating Linda Blozis is
21 stressed out with the workload?

22 A. That's what I wrote.

23 Q. Do you agree with that?

24 A. Yeah.

B879

William S. Becker

87

1 Q. You weren't lying when you said that?

2 MS. WILSON: Objection to form. You can
3 answer.

4 A. I know that there was a lot of work to do and
5 that it stressed Linda out so I acknowledged I
6 stressed her out by giving her that workload.

7 Q. And you make a recommendation here in the last
8 sentence of the paragraph, you talk about a package,
9 do you see that word "package"?

10 A. Yes.

11 Q. Are you referring to a severance package or
12 separation package?

13 A. Yes.

14 Q. Does Mellon in certain circumstances offer --
15 which is it, is it severance or separation, what does
16 Mellon call the package so I use the Mellon
17 terminology?

18 A. Well, there are different packages for
19 different circumstances so I'm just referring
20 generally to a package, but not understanding the
21 specifics. As my first paragraph indicates I just
22 remember when I refer to package I was referring to
23 something that I didn't know the details of.

24 Q. But you have been with Mellon since 1998, two

B880

William S. Becker

88

1 different points now, and here we are eight years
2 later, so almost eight years minus a year and a half
3 or two years with another bank and you have been a
4 manager for that time. What types of packages are
5 there that you have seen at Mellon?

6 A. For people whose -- if it's a corporate-wide
7 layoff that we reduce staff and I believe that was the
8 late '90s, then people would be offered a certain
9 dollar amount for whatever their salary was for a
10 certain number of years of service if their job was
11 being eliminated.

12 Q. A job elimination or reduction in force or
13 downsizing?

14 A. Right, and they may or may not be offered.

15 Q. And that could be some kind of separation
16 package?

17 A. A separation or severance, yes.

18 Q. Are there any other situations where a package
19 could be offered?

20 A. There are -- if -- I'm just trying to think of
21 things that I have had direct experience with.

22 Q. Right.

23 A. That's really the only case that we dealt
24 specifically with.

B881

William S. Becker

89

1 Q. And and you wrote this E-mail in December of
2 2002, the E-mail at the bottom to Rosemary Thomas that
3 we are talking about now, is that accurate?

4 A. Yes.

5 Q. And at that point you were suggesting that
6 Mellon offer Linda Blozis some kind of a separation
7 package, is that accurate?

8 A. Yes. I wanted to find out what that package
9 was and whether or not she would qualify for something
10 like that.

11 Q. And you thought that would have been a more
12 prudent course of action as opposed to continued
13 written criticism that she doesn't have product
14 knowledge and doesn't have the competencies to do the
15 job?

16 MS. WILSON: Objection to form. You can
17 answer.

18 A. I thought that would be a nice thing to do
19 because I liked Linda. The prudent part of it, I
20 didn't know the details of the package at the time so
21 I wanted if there was one to know what it meant, but I
22 liked Linda and it was a difficult time to -- because
23 she wasn't doing what we needed her to do.

24 Q. And had there been other talk of offering

B882

William S. Becker

90

1 packages to administrative help that were not
2 qualified for the position?

3 A. I believe there was when I had spoken to Paul
4 Kochis, but I didn't know the specifics about it.

5 Q. I think we have talked about at some point in
6 the 1990's that the portfolio administrator or the
7 assistant position the responsibilities were increased
8 by Mellon?

9 A. Yes, that's correct.

10 Q. And at that point was there a situation where
11 there were multiple employees in the job who were no
12 longer qualified for the job under the increased
13 responsibilities or increased requirements of the job?

14 MS. WILSON: Objection to form. You can
15 answer it.

16 A. I don't remember that there were a number of
17 people. I had my little Delaware universe to be
18 concerned about.

19 Q. Were you aware of anybody within the Delaware
20 universe that no longer was qualified for the job and
21 was offered a package?

22 A. No one was specifically offered a package, but
23 with respect to identifying whether someone was
24 qualified in doing a good job we certainly had to do

B883

William S. Becker

91

1 that.

2 Q. And outside of the Delaware office were you
3 aware of anybody else in the Philadelphia or elsewhere
4 or within Delaware that was administrative help that
5 was no longer qualified for the job once the
6 requirements were increased or the responsibilities
7 were increased?

8 A. No.

9 Q. But you heard some kind of talk about offering
10 packages for administrative help not qualified for the
11 position?

12 A. Yes.

13 Q. And it was your understanding from -- I'm
14 sorry, who did you say you spoke with?

15 A. I referred to Paul Kochis.

16 Q. From your conversation with him it was your
17 understanding that some folks were offered packages,
18 is that correct?

19 MS. WILSON: Objection to form. You can
20 answer.

21 A. No, it was not my understanding that they were
22 offered. My recollection is that he mentioned
23 something about it and that we may be able to offer
24 it. I don't know at that time whatever happened to

B884

William S. Becker

92

1 that thought or that program.

2 Q. So, you suggested that that could be a possible
3 way of dealing with Linda Blozis, a possible way to
4 treat Linda Blozis?

5 A. Right, if it were some type of thing that I
6 could offer her.

7 Q. And ultimately she was not offered a package
8 for whatever reason, correct?

9 A. I don't know that specifically, but certainly I
10 never offered her a package while I was down there.

11 Q. And it's your understanding now that Mellon
12 eventually terminated her employment, correct?

13 A. Yes.

14 Q. How were bonuses determined for portfolio
15 administrators?

16 A. It's a subjective bonus based on the manager's
17 -- how the manager sees that person as contributing to
18 the office.

19 Q. And when you say "the manager," are you
20 referring to the team leader?

21 A. No, the direct report gives the input, but team
22 leader is the final arbitrator of the distribution of
23 bonus pool.

24 Q. Who in the Delaware office received bonuses in

B885

William S. Becker

93

1 2002?

2 A. I don't remember.

3 Q. Did you receive a bonus in 2002?

4 A. I would think I did. Yes, I'll say yes. I
5 don't remember the amount.

6 Q. Without asking you the amount or asking you to
7 recall the amount why do you think you remember that
8 you did?

9 A. It was an important part of compensation for
10 officers, we were incented to do the activities that
11 would lead to receiving a bonus.

12 Q. Was it an important part of compensation for
13 all members on the team?

14 A. No. I would say it was primarily geared
15 towards officers and periodically if the bonus pool
16 was sufficient or someone did an activity that was
17 deemed appropriate of a bonus, then assistants would
18 be paid bonuses.

19 Q. But if there was a year where Linda Blozis
20 didn't receive a bonus that would be due to the fact
21 that the bonuses were paid to the portfolio officers,
22 it's an important of their compensation?

23 A. No. I'm sorry if I characterized it that way.
24 Depending on the profitability of the company then it

B886

William S. Becker

94

1 rolls down to regions and then teams and then
2 individuals. I don't remember discussions that we
3 said, Well, this person is an assistant, let's not
4 give them anything because we have to give it to the
5 portfolio officers. There were certainly years where
6 the portfolio officer got very little and the
7 administrators got very little or the administrators
8 didn't get anything or portfolio officers didn't get
9 anything. It was based on individual merit if there
10 was money in the pool.

11 Q. Did Maria Dunlop receive a bonus in 2002?

12 A. I don't remember.

13 Q. At some point was Linda Blozis told not to ask
14 for help from her peers with her workload?

15 A. I'm not aware of that.

16 Q. Was Linda Blozis expected to complete her
17 workload on her own?

18 A. That would be fair to say generally.

19 Q. Was Maria Dunlop allowed to get assistance from
20 Linda Blozis with work?

21 A. I would think if something needed to get done
22 we took a team approach on certain large projects.

23 Q. Did Brendan Gilmore and Greg Landis criticize
24 Linda Blozis for leaving a booklet for Maria Dunlop to

B887

1 bind?

2 A. I don't know.

3 Q. What was Mellon's vacation policy for portfolio
4 administrators in 2001 and 2002?

5 A. I don't remember specifically. Are you asking
6 number of days or --

7 Q. To the best of your recollection generally how
8 did vacation work?

9 A. A request was made by the assistant to their
10 direct report and then that person would determine
11 whether it was okay to grant the request or not based
12 on workload, what was going on in the office and that
13 sort of thing.

14 Q. Were you aware that Brendan Gilmore issued
15 Linda Blozis a final written warning in April of 2003?

16 A. I have seen the final written warning, yes.

17 Q. Is that something you have seen in preparation
18 for your deposition today or have you seen that
19 previously during the time that it occurred?

20 A. I did not see it at the time it occurred, no.
21 I did see it in preparation for the deposition.

22 Q. Did Mellon have policies against age
23 discrimination in employment?

24 A. Yes, I believe they do.

William S. Becker

96

1 Q. Did Mellon have policies against sex
2 discrimination in employment?

3 A. I believe they did, yes.

4 Q. Did Mellon have a policy against retaliation
5 for complaining of employment discrimination?

6 A. I believe they do, yes.

7 Q. You are aware that it is illegal to
8 discriminate in employment based on an employee's age?

9 A. Yes.

10 Q. During the time you were Linda Blozis' super-
11 visor you were aware it is illegal to discriminate
12 against an employee based on the employee's sex or
13 gender?

14 A. Yes.

15 Q. During the time that you were Linda Blozis'
16 direct supervisor you were aware it is illegal to
17 retaliate based on a discrimination complaint?

18 A. Yes.

19 Q. Were you aware that Linda Blozis made a
20 complaint to human resources in May of 2003?

21 A. No.

22 Q. Were you ever aware that Linda Blozis made a
23 complaint against Brendan Gilmore?

24 A. I'm sorry, what time period?

B889

William S. Becker

97

1 Q. At any time period while you were working at
2 Mellon and Linda Blozis was working at Mellon.

3 A. I believe I do remember that she made a
4 complaint against Brendan. It was after the fact. It
5 was after the complaint had been lodged.

6 Q. That you became aware?

7 A. That I became aware of it, yes. I'm sorry.

8 Q. Who did you become aware of it from?

9 A. I don't remember.

10 Q. And were you contacted by human resources or
11 Rosemary Thomas regarding the complaint?

12 A. Actually, I do remember when I became aware of
13 that complaint. It was the beginning of this year
14 when I found out that there was some litigation
15 occurring.

16 Q. And prior to that you were never contacted by
17 Rosemary Thomas or human resources in connection with
18 that complaint by Linda Blozis?

19 A. No, not that I remember.

20 Q. Were you ever aware that Linda Blozis accused
21 Brendan Gilmore of age discrimination?

22 A. I am aware of it now.

23 Q. Prior to the filing of this lawsuit were you
24 aware of it?

William S. Becker

98

1 A. No.

2 Q. Does Mellon have a progressive discipline
3 policy, if you understand what that means?

4 A. Yes. I do understand and, yes, they do.

5 Q. Under that progressive discipline policy are
6 there three steps that can be given to an employee for
7 a performance issue such as a written warning, a final
8 written warning and then ultimately termination?

9 A. Yes.

10 Q. And are there other instances that don't fall
11 under the progressive discipline policy that can lead
12 to immediate termination such as stealing from the
13 company?

14 A. Yes.

15 Q. And Linda Blozis wasn't terminated for an
16 intolerable offense that could lead to immediate
17 termination such as stealing from the company, is that
18 correct?

19 MS. WILSON: Objection to form. You can
20 answer.

21 A. My understanding is that's not the reason she
22 was terminated.

23 Q. And she was terminated under the progressive
24 discipline policy for poor performance?

B891

William S. Becker

99

1 A. That's my understanding.

2 Q. And under that progressive discipline policy
3 she couldn't be terminated before she received a final
4 written warning, is that correct?

5 MS. WILSON: Objection to form. You can
6 answer.

7 A. I'm not certain whether the final written
8 warning has to be given. Was that the question? I'm
9 sorry, could you read me the question?

10 Q. That's the question.

11 A. Okay. That a final written warning needs to be
12 given if someone is in a corrective action?

13 MS. WILSON: Why don't you repeat the
14 question.

15 (The last question was read back by the
16 court reporter.)

17 A. I don't know whether that's correct or not.

18 Q. Is it your understanding that under the
19 progressive discipline policy it's possible for an
20 employee to be terminated without any warnings?

21 MS. WILSON: Objection to form. You can
22 answer.

23 A. I agree with what you just said, that there are
24 warnings given -- a person can still be terminated

B892

William S. Becker

100

1 for, for example, insubordination or stealing if
2 they're in that progressive discipline.

3 Q. Earlier we made a distinction between a
4 progressive discipline policy based on performance
5 that includes three steps of written warning, final
6 written warning and termination and then other things
7 outside of the progressive discipline policy or
8 outside of the progressive progression that are called
9 intolerable offenses, are you aware of that?

10 A. Yes, yes.

11 Q. And if there is an intolerable offense such as
12 stealing from a company that an employee could be
13 terminated without receiving the three steps?

14 A. That's correct.

15 Q. I think you told us earlier that at some point
16 during the outset of the calendar year, fiscal year,
17 certain planning and goal setting is done for an
18 employee, is that accurate?

19 A. Yes.

20 Q. And when would that be done, would that be done
21 in the first month or two of the year?

22 A. Generally the first couple months, yes.

23 Q. An employee would then receive a intermediary
24 review based on an evaluation of how the employee had

B893

William S. Becker

101

1 performed in terms of meeting those goals or expecta-
2 tions that were set in the first couple months of the
3 year?

4 A. Yes, sometimes that happens, sometimes it
5 didn't.

6 Q. It wasn't mandatory to have a mid-year review,
7 correct?

8 A. That is correct.

9 Q. But if a mid-year review was done, it would be
10 based on how well the employee had met the expecta-
11 tions or the planning that had been done in the first
12 couple months of the year?

13 A. That's correct.

14 Q. And I think you have told us that the annual
15 evaluation is always done for the most part?

16 A. Yes.

17 Q. And the annual evaluation is also based on how
18 the employee has done in terms of the planning in the
19 first couple months of the year?

20 A. Yes, the planning and then whatever other
21 performance there is throughout the year, whether it
22 specifically relates to a plan or not.

23 Q. Aside from Linda Blozis have you ever seen any
24 employees at Mellon discharged?

B894

William S. Becker

102

1 A. Have I seen, personally been in the room when
2 that happens?

3 Q. Yes.

4 A. Yes.

5 Q. Have you ever known Mellon to pay the
6 discharged employee through the end of the week even
7 though the discharged employee did not work the
8 remainder of the work?

9 A. I don't know specifically the pay arrangements.
10 No, I can't speak to that one way or the other. I'm
11 not aware whether they would pay someone through the
12 end of a time period or not.

13 Q. But have you had to deliver the news to other
14 people other than Linda Blozis that their employment
15 is being terminated by Mellon?

16 MS. WILSON: Objection to form.

17 A. Because I didn't -- I didn't deliver the news
18 to Linda.

19 Q. I'm not saying you have delivered the news to
20 Linda. I think there has been testimony in the case
21 that someone else delivered the news, Brendan Gilmore
22 or someone else or Greg Landis, I believe.

23 A. Okay.

24 Q. Have you ever had to deliver that news to

B895

William S. Becker

103

1 employees that Mellon is terminating their employment?

2 A. I've not personally said the words. I have
3 been in the room when that has happened and when other
4 people have been notified.

5 Q. And during those types of meetings you have
6 never seen anyone notified they would be paid through
7 the end of the week?

8 MS. WILSON: Objection to form. You can
9 answer.

10 A. I was never in for a prolonged period of time
11 in those meetings. Generally the HR representative
12 would be there. I would be there, maybe another
13 officer and then the particulars would be discussed
14 once I left the room. So, I'm not aware of whether
15 that is standard operating procedure or not.

16 Q. Have you yourself had to fire anybody in the
17 Philadelphia office?

18 A. No.

19 Q. At some point was a Laura Shannon hired in the
20 Delaware office?

21 A. Yes.

22 Q. And did she eventually replace Linda Blozis?

23 MS. WILSON: Objection to form. You can
24 answer.

William S. Becker

104

1 A. I believe she did.

2 Q. And was Laura Shannon younger than Linda
3 Blozis?

4 A. I believe so. I don't know.

5 Q. Did you have any conversations with Brendan
6 Gilmore prior to the termination of Linda Blozis'
7 employment with respect to Linda Blozis or what action
8 should be taken against her?

9 A. I didn't discuss anything with Brendan
10 subsequent to my review, which he needed to approve
11 for the end of 2002.

12 Q. Did you have any conversations with Greg Landis
13 about Linda Blozis' performance and what action should
14 be taken towards her or against her?

15 A. No.

16 Q. Is it fair to say you did not make the decision
17 to terminate Linda Blozis' employment?

18 A. That's fair.

19 Q. I mean, is that accurate?

20 A. That's accurate. I'm sorry.

21 Q. That's a better question. During the time that
22 you were her direct supervisor you had authority to
23 fire her, is that accurate?

24 A. That's correct.

B897

1 Mr. LaROSA: No further questions.

2 (The deposition was concluded at 1:25 p.m.)

3 I N D E X

4 DEPONENT: William S. Becker PAGE
5 Examination by Mr. LaRosa 2
6

7 E X H I B I T S

8 BECKER DEPOSITION EXHIBITS MARKED
9

10 1 Document Bates stamped Mel/Bloz 454-455 24
11 2 Document Bates stamped Mel/Bloz 707-716 28
12 3 Document Bates stamped Mel/Bloz 717-726 36
13 4 Document Bates stapmed Mel/Bloz 456-466 59
14 5 Document Bates stamped Mel/Bloz 593 67
15 6 Document Bates stamped Mel/Bloz 684 73
16 7 Document Bates stamped Mel/Bloz 646 80
17 8 Document Bates stamped Mel/Bloz 682 86
18 ERRATA SHEET/DEPONENT'S SIGNATURE PAGE 106
19 CERTIFICATE OF REPORTER PAGE 107
20
21
22
23
24

1
2
3 REPLACE THIS PAGE
4 WITH THE ERRATA SHEET
5 AFTER IT HAS BEEN
6 COMPLETED AND SIGNED
7 BY THE DEPONENT.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 State of Delaware)
2 New Castle County)

3

4 CERTIFICATE OF REPORTER

5

6 I, Christina M. Vitale, Certified Shorthand
7 Reporter and Notary Public, do hereby certify that
8 there came before me on Friday, January 5, 2007, the
9 deponent herein, WILLIAM S. BECKER, who was duly sworn
10 by me and thereafter examined by counsel for the
11 respective parties; that the questions asked of said
12 deponent and the answers given were taken down by me
13 in Stenotype notes and thereafter transcribed by use
14 of computer-aided transcription and computer printer
15 under my direction.

16 I further certify that the foregoing is a true
17 and correct transcript of the testimony given at said
18 examination of said witness.

19 I further certify that I am not counsel,
20 attorney, or relative of either party, or otherwise
21 interested in the event of this suit.

22

23

24 Christina M. Vitale, CSR
Certification No. 261-RPR
(Expires January 31, 2008)

25

26 DATED:

27

28

29

30

31

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LINDA J. BLOZIS

Plaintiff,

vs.

MELLON TRUST OF DELAWARE,
NATIONAL ASSOCIATION; MELLON
BANK, NATIONAL ASSOCIATION;
MELLON FINANCIAL CORPORATION,

Defendants.

:

: CIVIL ACTION NO. 05-891 (SLR)

:

:

**DECLARATION OF
WILLIAM S. BECKER**

:

:

:

:

:

I, William S. Becker, of full age, hereby certify and declare as follows
based upon my own personal knowledge and information.

1. I began working for Mellon in September 1998 as a Portfolio
Manager/Vice President in the Private Asset Management Group in Delaware. I am
currently employed as Senior Director, First Vice President for Mellon and have worked
in this position since approximately June 2006. I have been authorized by Mellon to
make this declaration in support of its Motion for Summary judgment above-captioned
matter.

2. From approximately September 1998 through December 2002, Ms. Blozis
reported to me. Ms. Blozis held the position of Portfolio Administrator.

3. Ms. Blozis' duties were to assist me with my client accounts. However,
during the late 1990s or early 2000s, Portfolio Administrators were expected to do more
sophisticated type of work than had been required previously. It was my overall

impression that Ms. Blozis would be unable to satisfy the heightened requirements for the position because she was frequently making basic and elementary mistakes.

4. As her supervisor, I reviewed Ms. Blozis' work and make comments on the work she prepared for me so that I could keep track of her performance as well as use it as a teaching tool. In my role, I was personally aware of Ms. Blozis' performance and I made her aware of my concerns.

Performance Issues

5. One of the performance problems that Ms. Blozis had was failure to complete projects on a timely basis. As an example, on an e-mail that Ms. Blozis sent to another employee dated November 19, 2002 I noted that Ms. Blozis had this assignment since mid October and that the assignment still had not been completed. A true and complete copy of the November 19, 2002 e-mail with my notes is attached hereto as **Exhibit 1**.

6. Ms. Blozis' job also included inputting information on the Automated Investment Review System forms. Ms. Blozis would often put improper information on these forms. I would note the problems on the forms and ask her to revise. Ms. Blozis' mistakes on the forms showed a lack of understanding of the work that she was doing. True and complete copies of the Forms with my notes are attached hereto as **Exhibit 2**.

7. I had similar problems with Ms. Blozis' completion of a Security Risk of Holders form where she took a significant amount of time to finish the work, but it had been done incorrectly. A true and complete copy of the Form with my notes are attached hereto as **Exhibit 3**.

8. Additionally, there were issues with Ms. Blozis' inattentiveness to detail and failure to follow instructions. For example, on a Single Bond Buy form, Ms. Blozis entered \$800,000.00 par value when it should have been \$400,000.00 and on a Notification of Account overdraft dated December 9, 2002 Ms. Blozis would have noticed her error if she had double checked the information. True and complete copies of the Single Bond Pay Form with my notes are attached hereto as **Exhibit 4**.

9. There were numerous times where I had to revise information that Ms. Blozis placed on a client Asset Risk Profile Questionnaires. This information was basic to her job functions and should have been performed correctly. True and complete copies of the Questionnaires with my revisions are attached hereto as **Exhibit 5**.

10. Similarly, Ms. Blozis would improperly complete the Single Equity Sell Sheets and I would have to correct them. Again, proper completion of these sheets were basic to her job duties. True and complete copies of the sheets are attached hereto as **Exhibit 6**.

11. Ms. Blozis would not anticipate client information that I would need to properly service an account. For example, on an e-mail dated December 6, 2002 Ms. Blozis did not provide me with the proper information and I had to inquire about proper follow-up. A true and complete copy of the December 6 e-mail with my notes is attached hereto as **Exhibit 7**.

12. Ms. Blozis would also provide inaccurate information on the Automated Investment Review System forms. The errors on the forms reflected an inattentiveness to detail and a lack of understanding of her job. True and complete copies of the forms with my notes are attached as **Exhibit 8**.

13. On October 8, 2002, I had an e-mail exchange with Ms. Blozis concerning her failure to provide information in a timely manner. In her response to me on October 9, 2002, Ms. Blozis stated, "I apologize for my own delay in completing it in a more timely manner." A true and complete copy of the e-mail chain is attached hereto as **Exhibit 9**.

14. Ms. Blozis continued with her untimely completion of projects. On November 19, 2002, Ms. Blozis still had not completed a project I had given her in mid-October. A true and complete copy of the November 19 e-mail with my notes is attached hereto as **Exhibit 10**.

15. I would consistently have to provide Ms. Blozis with guidance on how to properly provide certain information, such as a summary of assets, for customer accounts. This is something that she should have been able to do on her own. A true and complete copy of the Summary of Assets form that was dated as of November 11, 2002 with my revisions is attached hereto as **Exhibit 11**. --

16. Additionally, Ms. Blozis failed to follow my instructions and would send information to the wrong person as reflected on an e-mail dated December 6, 2002 with my notes. A true and complete copy of the e-mail with my notes is attached hereto as **Exhibit 12**.

17. Because of the continuous nature of Ms. Blozis' performance issues, on December 4, 2002, I sought assistance from Ms. Rosemary Thomas, the human resources coordinator assigned to our group. In my December 4 e-mail, I stated that I had to start a file on Ms. Blozis because she had been consistently missing deadlines and projects over the past year and the quality of her work was poor. I felt that

commencing corrective action was necessary because I had been doing Ms. Blozis' job for the past four years. A true and complete copy of my December 4 e-mail is attached hereto as **Exhibit 13**.

18. Ms. Thomas and I talked about Ms. Blozis' continuing performance problems that persisted despite my counseling. We decided that Ms. Blozis should be placed on a corrective action plan. We discussed the process and timing of placing Ms. Blozis on a corrective action plan and decided since Ms. Blozis' 2002 performance evaluation was scheduled to be performed in early 2003, we would place Ms. Blozis on a corrective action plan during her 2002 appraisal. Her 2002 appraisal would constitute her Initial Written Warning.

19. Ms. Blozis received an Action Needed on her 2002 performance evaluation, which was given in February 2003.

20. During the time that I have been employed by Mellon, I have not made any inappropriate remarks to any employees, including Ms. Blozis, relating to age or sex.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury of the laws of the United States of America that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


William S. Becker

Dated: February 21, 2007

EMPLOYEE PROFILE/HISTORY

ID: 221300199

NAME: Blozis, Linda J

10/23/1998 03:13PM

DEMOGRAPHICS

ADDRESS:	525 Langham Road	STATUS:	Active
CITY:	Wilmington, DE 19809	BEN PROGRAM:	BEN
HOME PHONE:	302/764-3019	BEN EFF DT:	02/12/1990
WORK PHONE:		BIRTHDATE:	12/10/1945
MGR PHONE:		AGE:	52.8
LOCATION:	00030 Tenth And Market Bq Building	MAR STATUS:	Single
AKN #:	012-0270	RACE:	White
MGMT UNIT:	633210 Trust Management	GENDER:	Female
MANAGER:	106345096 Gilmore, Brendan M	VAC/DIS/SEV DT:	02/12/1990
B U D:	PC Private Asset Management	REHIRE DT:	
EMPL CO:	630 Mellon Bank Delaware	HIRE DT:	02/12/1990
GL CO:	630 Mellon Bank Delaware	ACQUISITION:	NA

CURRENT JOB DATA

JOB CD:	3074	OFFICER CD:	
JOB TITLE:	Trust Spec Sr	OFFICER DATE:	
GRADE:	N	SHIFT:	1
FLSA:	N	SHIFT RATE:	0
EEO CODE:	E 01	DEDUCT:	Y
		PAY GROUP:	SHS Semi Saly
		EMPL TYPE:	S Salaried
		FT/PT:	F Full-Time

CURRENT SALARY DATA

SALARY:	\$28,780.00	LOC STD WEEKLY HRS:	37.5	LOC STD ANN HRS:	1950
BEN BASE RT:		EMP STD WEEKLY HRS:	37.5	EMP STD ANN HRS:	1950
SAL PLAN:	237	COMP-RATIO:	.83		

JOB HISTORY

EFF DATE	JOB CD	JOB TITLE	SG	FLSA	PERF RTG	EFF DATE	RTG	EMPLOYEE STATUS
05/23/1998	3074	Trust Spec Sr	N	N	01/03/1997	2	02/12/1990	STS ACTN RSN A HIR HIR
12/01/1995	091160	SR TRUST SPCLST	N	N	01/05/1996	2		
11/01/1992	C26030	EXECUTIVE SECRETARY	F	N	02/05/1995	2		
12/21/1990	910030	ADMIN SECRETARY	F	N	02/01/1995	2		
02/12/1990	910030	ADMIN SECRETARY	13	N	09/15/1993	2		
					01/15/1992	3		

SALARY HISTORY

EFF DATE	SALARY	INCR AMT	PCT	TYPE
01/01/1998	\$28,780.00	\$1,400.00	5.11	MER
01/01/1997	\$27,380.00	\$1,560.00	6.04	MER
01/01/1996	\$25,820.00	\$1,250.00	5.09	MER
10/01/1994	\$24,570.00	\$1,170.00	5.00	MER
05/01/1993	\$23,400.00	\$1,700.00	7.83	MER
05/01/1992	\$21,700.00	\$900.00	4.33	MER

MGMT UNIT HISTORY

EFF DATE	MGMT UNIT	BUD	CHPT
05/23/1998	633210	PC	630
09/28/1993	PC3210	PC	630
10/31/1990	T13210	TI	630
05/08/1990	T13510	TI	630
02/16/1990	993510	99	630
02/12/1990	9999	99	630

OFFICER HISTORY

EFF DATE	OFF CD
----------	--------

PENDING ACTIONS

SALARY INCREASES:			PERF RTGS:		OFFICER TITLES:	
EFF DATE	INCREASE AMT	TYPE	EFF DATE	RTG	EFF DATE	OFFICER CD

RATINGS, AWARDS AND OTHER PAY

INCENT IND: PLAN ID:

INCENTIVE AWARDS

DATE:	RTG:	AWARD AMT:
1997		
1996		
1995		

PREMIER ACHIEVEMENT

DATE:	AWARD AMT:
1998	
1997	
1996	

EXTRA TIME AND OVERTIME

CURRENT YTD ET:
PRIOR YTD ET:
CURRENT YTD OT:
PRIOR YTD OT:

MEL/BLOZ.454

DEPOSITION
EXHIBITLondis 2
12-31-06 PS

B907

EMPLOYEE PROFILE/HISTORY

ID: 000142775

NAME: Blozis, Linda J

30-AUG-2004 03:44PM

DEMOGRAPHICS			
ADDRESS:	525 Langham Road		
CITY:	Wilmington, DE 198092113		
HOME PHONE:	302/764-3019		
WORK PHONE:			
MGR PHONE:	215-553-3032		
LOCATION:	00875 Mellon Bank (DE)		
AIM #:	19G-0201		
MGMT UNIT:	623210 Trust Management		
MANAGER:	000115100 Gilmore, Brendan M		
B U D:	PC Private Wealth Management		
EMPL CO:	622 Mellon Trust of Delaware NA		
GL CO:	622 Mellon Trust of Delaware NA		
STATUS:	Terminated		
BEN PROGRAM:	BEN		
BEN EFF DT:	12-FEB-1990		
BIRTHDATE:	10-DEC-1945		
AGE:	58.7		
MAR STATUS:	Single		
RACE:	White		
GENDER:	Female		
VAC/DIS/SEV DT:	12-FEB-1990		
REHIRE DT:			
HIRE DT:	12-FEB-1990		
ACQUISITION:	NA		

CURRENT JOB DATA			
JOB CD:	2292		
JOB TITLE:	Port Admin		
GRADE:	06		
FLSA:	E		
EEO CODE:	B 07		
SHIFT:	1		
SHIFT RATE:	0		
DEDUCT:	Y		
OFFICER CD:			
OFFICER DATE:			
PAY GROUP:	SMS Semi Saly		
EMPL TYPE:	S Salaried		
FT/PT:	F Full-Time		

CURRENT SALARY DATA			
SALARY:	39,800.00	USD	LOC STD WEEKLY HRS: 37.5
BEN BASE RT:			EMP STD WEEKLY HRS: 37.5
SAL PLAN:	237		COMP-RATIO: 0.87
			LOC STD ANNU HRS: 1950
			EMP STD ANNU HRS: 1950

JOB HISTORY				PERF RTG		EMPLOYEE STATUS		
EFF DATE	JOB CD	JOB TITLE	SG FLSA	EFF DATE	RTG	EFF DATE	STS	ACTN
01-OCT-1998	2292	Port Admin	06 E	01-JAN-2003	I	19-JUL-2003	T	TER
06-JUL-1999	3074	Invest Spec I	I N	01-FEB-2002	T	12-FEB-1990	A	HIR
15-MAR-1999	3074	Trust Spec I	I N	01-JUN-2001	3			
23-MAY-1998	3074	Trust Spec Sr	H N	01-NOV-1999	2			
01-JAN-1997	09116D	Sr Trust Spclst	H N	01-OCT-1998	3			
01-DEC-1995	09116D	SR TRUST SPCLST	H N	03-JAN-1997	2			

SALARY HISTORY					MGMT UNIT HISTORY				OFFICER HISTORY	
EFF DATE	CURR	SALARY	INCR AMT	PCMT TYPE	EFF DATE	MGMT UNIT	BUD	CMPT	EFF DATE	OFF CD
01-OCT-2002	USD	39,800.00	1,900.00	5.01 MER	01-APR-2003	623210	PC	622		
01-APR-2001	USD	37,900.00	1,800.00	4.99 MER	01-APR-2003	633210	PC	622		
01-APR-2000	USD	36,100.00	4,370.00	13.77 NMN	23-MAY-1998	633210	PC	630		
01-JAN-2000	USD	31,730.00	1,800.00	6.01 MER	28-SEP-1993	PC3210	PC	630		
01-JAN-1999	USD	29,930.00	1,150.00	4.00 MER	31-OCT-1990	TI3210		630		
01-JAN-1998	USD	28,780.00	1,400.00	5.11 MER	08-MAY-1990	TI3510		630		

PENDING ACTIONS			
SALARY INCREASES:			
EFF DATE	INCREASE AMT	CURR	TYPE
PERF RTGS:			
EFF DATE	RTG		
OFFICER TITLES:			
EFF DATE	OFFICER CD		

RATINGS, AWARDS AND OTHER PAY			
INCENT IND:	I	PLAN ID:	EPC02MOTL DIRECT COMPENSATION:
			39,800.00
			USD
INCENTIVE AWARDS			
DATE: RTG:	AWARD AMT:	CURR:	DATE: RTG:
2003		USD	2004
2002		USD	2003
2001	2,000.00	USD	2002
PROFIT BONUS AWARDS			
DATE: RTG:	AWARD AMT:	CURR:	DATE: RTG:
2003			2004
2002			2003
2001			2002
STOCK INFORMATION			
DATE: RTG:	SHARES:	STOCK MFTV:	CURR:
2004			
2003			
2002			
EXTRA TIME AND OVERTIME			
CURRENT YTD ET:			
PRIOR YTD ET:			
CURRENT YTD OT:			
PRIOR YTD OT:			
LONG TERM INCENTIVE			
DATE: AWARD AMT:	CURR:		
2004			
2003			
2002			

End of Report

MEL/BLOZ 455

B908



Douglas O. Kloppenburg
Senior Vice President

February 20, 2002

Linda J. Blozis
193-0329

Dear Linda:

I am pleased to inform you that you have been awarded \$2,000 under the terms of Mellon's Private Wealth Management 2001 Portfolio Team Incentive Plan. This award, which will be included in your February month-end pay, recognizes your contributions to our performance during 2001.

Thank you for your contribution to our success and your extra efforts in a very challenging year.

Sincerely,

A handwritten signature in dark ink, appearing to read "Douglas O. Kloppenburg", written over the printed name.

Douglas O. Kloppenburg

P173

Private Wealth Management
Third Floor • 1735 Market Street • Philadelphia, PA 19103
(215) 553-8998 Office • (215) 553-1795 Fax

A Mellon Financial Company™

B909

Becker William S

From: Becker William S
 Sent: Tuesday, October 08, 2002 6:31 PM
 To: Blozis Linda J
 Subject: Projects

Gregg mentioned that [REDACTED] was looking for some tax cost info last week. I remembered that he asked me for that info this spring, so I just pulled out the file. In there I found my original request dated 4/10/02, and many emails from you requesting info from other departments to obtain the cost basis.

Also was an email I sent to you dated 6/4/02. I suggested that you should look in the file for any purchase info first. For whatever reason, you didn't follow up on this, and all the emails were filed, including the ticklers.

I just took 10 minutes and reviewed the investment file this evening and there are a bunch of trade tickets for the purchase of different Dreyfus Funds, including the International and the Mid Cap Fund from 1994 and 1995. There was also the paperwork showing the conversion from the MidCap to the current cusip for the Dreyfus Premier Small Stock Fund. 95% of what is needed to reconstruct a very accurate cost basis, including dates, has been in the file all along.

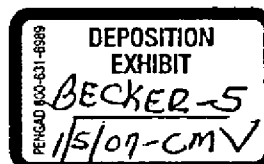
I need to get better at letting you know when things don't happen the way they should. This project has been an embarrassing disaster. It's not OK to just stop working on something and forget about it. What makes this worse is that [REDACTED] has come back to us again requesting the same info. This is a fragile relationship as it is. They are considering moving the plan out to a 401k provider, so Gregg and I are struggling to retain [REDACTED]'s money. Mistakes like this don't help our chances.

There are a few other projects that I've given you that have yielded similar results. [REDACTED]'s savings bonds are worth over \$1 million. Over a year passed without that project getting finished. I lost my credibility with her, and she went elsewhere to get her planning done. An opportunity to get a substantial addition was lost because of the lack of follow-through. Not OK.

The mutual fund coding project has to be close to a year by now, and you've not come to me to say that it is completed.

I know you've been busy, first with Katie gone and then helping teach Maria. There needs to be improvement in completing these tasks in a timely manner, however. As I've said for four years, you don't need my permission to get your job done. If you need to lock yourself in a room to get things done, do it.

I know you'll work hard to try and improve on things like this. I hope the training Mellon is offering provides some tips and techniques for organizing your day and prioritizing projects like these. I need you to help me increase the level of service we offer our clients. Improving in these areas will be a step in the right direction.



MEL/BLOZ 593

B910

Gilmore Brendan M

From: Olney Richard D
Sent: Friday, October 18, 2002 4:55 PM
To: Kochis Paul M; Gilmore Brendan M; Thomas Rosemary C
Cc: Landis Gregg L; Becker William S

Paul, Brendan, and Rosemary - I just wanted you all to know about a situation where Linda Blozis & Maria Bannister went above and beyond the call of duty to help one of our clients fund a new trust. This client (a non-profit organization) has about 90 charitable remainder trusts totalling \$40 million in assets that PWM is currently managing. They had a new donor who had established a new trust, and was going to fund it with a stock certificate for 50,000 shares of Sara Lee (around \$1 million +). Normally, stock certificates are sent to our office here in Boston, and we forward them to NYC for processing. The donor did not feel comfortable putting them in the mail himself, and wanted to drop them off personally. My client called and asked if there was a Mellon office in Delaware. As it turned out, he lived a mile down the road from the Greenville office. I called the office and spoke with Linda & Maria, who agreed to take in the certificate from the donor. This was conveyed to the donor, who delivered the certificate, and received a receipt for the gift. The securities were sent up to NYC and eventually deposited into the new trust. Everything went very smoothly. The donor was very pleased at how smoothly everything went, and conveyed this to the charitable organization. The organization (our client) called me and were very complimentary. They recognized that this gift went outside normal procedures, and appreciated the extra effort that was made to accomodate this gift as this donor is very important to their institution.

Linda & Maria were instrumental in making this gift happen, and their effort lent further support the decision of our client to choose Mellon to handle their Charitable Gifts Program.

I just thought that you should know how much we appreciate the time and effort they put into this, especially when every one is so busy these days.

Thank you!

Rick

Rick Olney
 Assistant Vice President
 Charitable Gift Services
 Mellon - Private Wealth Management
 Tel: (617) 722-3834/Fax: (617) 248-4456
 Email: olney.rd@mellon.com



PERFORMANCE MANAGEMENT



Mellon

Exempt Form

Performance Management Form

Employee Information

Employee Name: <u>Linda J. Blozis</u>	Manager's Name: <u>William S. Becker</u>
Job Title: <u>Portfolio Administrator</u>	Next Level Manager: <u>Brendan M. Gilmore</u>
Salary Grade: <u>06</u>	Date of Planning: <u>2/25/02</u>
Department: <u>PWM - DE</u>	Date of Mid-Year Review: _____
Length of Service: <u>12</u>	Date of Final Assessment: <u>1/27/03</u>
Time in Current Position: <u>2</u>	Date of Prior Assessment: <u>2/22/02</u>

Section I: Results-Based Goals

Individuals must have at least one goal in each area and we suggest an overall total of six to eight goals for this section. Examples of goals can be found in the Performance Management toolkit.

Goals for this year	Year-End Assessment				Year-End Accomplishments
	M	L	G	Ex	
Business & Operating Contributions					
Become technically proficient with Trust and Investment Operational systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Grow fee revenue by accurately tracing enrichments to accounts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Analyze Corporate Actions; monitoring sale or acquisition of stock that will compliment the client's account; reduce # of overdrafts by daily tracking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Customer-Related Contributions					
Reduce number of callbacks by providing appropriate assistance to clients when Port. Off is not available	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Linda did a good job covering for me during 2002, not only when I was out of town on client meetings but also when working in Philadelphia
Preparing meeting packets in a timely and efficient manner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The goal for next year is to have them ready 2-3 days before each meeting
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Employee-Related Contributions					
Attend training sessions as appropriate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Initiated sweep vehicle conference call for team	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Increase familiarity of cross-over responsibilities within the team	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

B912

MEL/BLOZ.456

Goal/Plans for the Year	Year-End Assessment				Year-End Accomplishments
	Meets Target	Exceeds Target	Outstanding	Below Target	
Other Contributions (Includes corporate, synergy, project-specific)					
Monitor account diversification and recommend changes to conform w/ policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	After training, Linda began doing this for accounts during the reg 9 review process towards the end of the year
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

*Requires a comment/explanation

Year-End Overall Assessment for Results-Based Goals:

☒ Meets Target ☐ Exceeds Target ☐ Outstanding ☐ Below Target

Comments on Year-End Assessment (add pages if necessary):

Linda covered basic client inquiries for me last year. Going forward, more complex issues relative to account management for clients will need to be learned, including asset allocation strategies and Mellon investment management capabilities.

Section II: Shared Values

During the planning process, managers and employees should agree on specific behaviors for the year that would demonstrate Mellon's Shared Values. Definitions are given in the directions document.

Shared Value	Action Plan (Planning Process)	Year-End Assessment			
		Meets Target	Exceeds Target	Outstanding	Below Target
Integrity	Respects others opinions and encourages communications among teams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teamwork	Develops contacts in operations areas with the purpose of improving client problem resolution; frequently communicates with fellow employees to accept and generate feedback that contributes to the group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excellence	Listen and address problems as soon as possible; be flexible and adaptable to the changing focus of Mellon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Checkmarks on "Needs Improvement" require a specific goal on the development plan

B913

Year-End Overall Assessment for Shared Values:

MEL/BI.OZ.457



☐ Effective

☒ Highly Effective

☐ Role Model/
Outstanding

☐ Needs Improvement

Comments on Year-End Assessment (add pages if necessary):

Linda provides a high level of service to our clients. She is always willing to help teammates whenever possible, and makes it a point to get along with support personnel.

B914

MEL/BLOZ 458

Section III: Competencies

Employees will be assessed on core, people management (those holding managerial responsibilities) and job/role-specific competencies. The Competency Guide in the performance management toolkit provides a behavioral description of each competency.

Competencies	Year-End Assessment				Comments and Examples (Year-End Assessment)
	1	2	3	4	
Core Competencies**					
Adaptability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Communication	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Customer Service Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Linda knows our clients come first and they deserve excellent service
Interpersonal Skills	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Judgement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	With respect to determining the importance of finishing a specific project on time
Personal Accountability/Ownership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Taking ownership of projects without constant monitoring
People Management Competencies* (only for those who manage people)					
Attracting and Retaining Organizational Talent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Developing and Coaching Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Managing for Results	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Job Specific Competencies** (all exempt employees must have 1-3)					
Dependability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Initiative/Sense of Urgency/Organizational Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Missing Deadlines
Product knowledge/work quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There was little progress made in this area during 2002 - this will require study outside of normal business hours

*Requires a comment/explanation

**Please use the Competency Guide in the performance management toolkit to review behavioral descriptors

Year-End Overall Assessment for Competencies:

☐ Effective
 ☐ Highly Effective
 ☐ Outstanding
 ☒ Needs Improvement

Comments on Year-End Assessment (checkmarks on "Needs Improvement" require a specific goal in the development plan):

Linda understands that the role of Portfolio Administrator is changing at Mellon, and that more will be expected of her in the future.

B915

MEL/BLOZ 459

Section IV: Summary and Final Performance Rating – To Be Completed During Year-End Assessment

Results-Based Goals	<input checked="" type="checkbox"/> Meets Target	<input type="checkbox"/> Exceeds Target	<input type="checkbox"/> Outstanding	<input type="checkbox"/> Below Target
Shared Values	<input type="checkbox"/> Effective	<input checked="" type="checkbox"/> Highly Effective	<input type="checkbox"/> Role Model/ Outstanding	<input type="checkbox"/> Needs Improvement
Competencies	<input type="checkbox"/> Effective	<input type="checkbox"/> Highly Effective	<input type="checkbox"/> Outstanding	<input checked="" type="checkbox"/> Needs Improvement

Overall Rating (Check One):

☐ On-Target Performance ☐ Strong Performance ☐ Outstanding Performance ☒ Action Needed*

* Requires the rater to check one of the boxes below & to provide a comment/explanation

Action Needed: Check one of the following boxes.

- ☐ Too New to Rate: Employee is new in the organization or unit. Manager and employee need to establish an interim date for assessment.
- ☒ Needs Improvement: Employee occasionally, but not regularly, met expectations in selected areas and requires improvement in specific job areas.
- ☐ Unsatisfactory: Employee performance did not meet the minimum requirements.

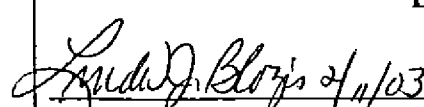

Manager's Comments for Assessment Period – required if "Action Needed" was selected on final performance rating (add pages if necessary):

There are two main areas that Linda needs to improve. First, there were several special projects during the year that Linda did not complete in a timely manner. These include identification of accounts on a model with restrictions, gathering and calculating cost basis for clients, ~~valuation of E-Bonds~~ E-Bonds valuation, changing mutual fund distribution options for clients, and identifying funds transfer agreements that are on file and setting the clients up to receive wires. Linda is aware that ultimately the responsibility falls on her to complete tasks when assigned. If she can't find the time, she needs to let her supervisors know. Linda also needs to develop a better understanding of investments in general and Mellon's Investment Policies and procedures specifically. Time needs to be made for this in order to move towards eventually handling accounts on her own. There should be an immediate and sustained improvement in the timeliness of completing all projects. Linda should identify all outstanding projects by February 15th⁴, and each should have a deadline assigned, with a zero tolerance standard for lack of timely completion. If a deadline is missed, further corrective action will follow. New goals will be established for Linda by Brendan and Gregg. An interim performance evaluation should be done to determine if goals are being met and to assure that performance returns to On-Target or better.

Employee's Comments for Assessment Period (add pages if necessary):

Employee Response is attached and signed.

Signatures and Dates

Performance Planning	Mid-Year Progress Review Completed? (Optional)	Year-End Assessment
	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Employee Signature/Date	Employee Signature/Date	<div style="text-align: right;">B916</div>  2/11/03 Employee Signature/Date
Manager Signature/Date	Manager Signature/Date	 1/31/03 Manager Signature/Date
Next-level Manager Signature/Date	Next-level Manager Signature/Date	Next-level Manager Signature/Date

MEL/BLOZ 460

Linda Blozis

Response to Manager Review dated 1/27/03

My understanding of the Mellon review process is that it is incumbent upon the supervising officer to set goals and deadlines for their direct reports. That notwithstanding, I will address comments made in my review dated 1/27/03.

The reviewing officer completely neglected to state that from March 3, 2002 until July 7, 2002, four months, I was entirely responsible for all the support of the Greenville Private Wealth Management (P.W.M.) office accounts as a result of the dismissal of Kathleen Agne. Upon hiring a replacement portfolio administrator, I devoted major portions of my workday to training and answering questions while continuing with my own workload as planned vacations were taken and officers were on client calls. During this same period the supervising officer spent 3-4 days per week in the Mellon Philadelphia offices and was subsequently promoted/transferred to another position in December 2002.

Over these four months I prepared all materials for client meetings; handled all monthly reviews and trades as instructed; monitored all in-coming cash additions and out-going disbursement requests; opened a number of new accounts; started termination of some accounts; and devoted as much time as possible to special corporate projects. I was also responsible for office mail; equipment maintenance; supply ordering and coverage of all department phone lines.

As of this writing:

Identification of accounts with restrictions on Mellon models has been completed. Substantiating paperwork is available.

Calculating cost basis for clients' assets has previously been identified as an administrating officer job requirement. Since a particular account was not specified, I cannot provide more explanation.

Identifying funds transfer agreements on file had a deadline for early June 2002. I was instructed to do the best I could at that time and updated some 50-60 accounts of the total office portfolio.

Mrs. [REDACTED] is an 85 year old widow. Her e-bonds valuation should have been completed when the account was opened in 1995 by the sales officer or the then administrating officer. As previously detailed in an email to my supervisor, I made two personal trips to Mrs. [REDACTED]'s home to try to get her to release the bonds and complete the addition to the account. She refused on both occasions to fully disclose the information to me. I refrained from any additional contact with the client when I learned from her accountant that she was not totally forth-coming with him about a her assets, thus causing a large estimated tax payment requirement. Because of her age and confusion in paying estimated taxes, I made two personal trips to the IRS in downtown

B917

MEL/BLOZ 461

Wilmington on her behalf and resolved the problem for her. The account has since been transferred to the Walker Team.

At this time I see my responsibilities as follows:

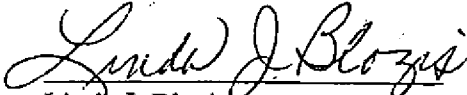
To update the Greenville ~~Business Resumption Plan~~ with current staff changes.

To correct and update stale-dated assets for all accounts assigned officer #201 including many accounts that have always been serviced in Philadelphia, with the files remaining there and for which I had no prior working knowledge.

To continue to service our clients to the best of my ability and as defined by those supervisors who will be directing the course of the Greenville, DE wealth center.

It is important to note for this record – during my tenure of service at Mellon there has never been a situation that has placed Mellon Private Wealth Management in legal jeopardy either by client initiation; regulatory compliance or negligence on my part.

I therefore disagree with these review criticisms both in tone and substance.


Linda J. Blozis
February 11, 2003

B918

MEL/BLOZ 462

Section V: Self-Appraisal Questionnaire

1) Employee initiates the assessment process by conducting a qualitative self-assessment of his/her performance that is given to the manager prior to the performance discussion.

Results-Based Goals

- 1) Describe in qualitative terms how you would assess your performance against the results-based goals that were established during the planning process.

Continued to demonstrate initiative & willingness to accept each challenge and assignment and make every attempt to complete in a timely manner. Even in the current stressful economic environment, I have been dedicated to even more client service and satisfaction.

- 2) What are the factors that enabled or hindered your ability to meet expectations?

Short notice given on major corporate projects.
Because of our small office, accountability falls on entire staff.

Shared Values

- 3) List specific examples/occasions where you have demonstrated our Shared Values.

Shared Values	Examples/Occasions
Integrity	<ul style="list-style-type: none"> Continue to serve all clients and offer solutions. Respond to all clients' requests regardless of status of account (active or terminating).
Teamwork	<ul style="list-style-type: none"> Suggested client teleconference when personal meeting not possible. Helped arrange client meetings on short notice.
Excellence	<ul style="list-style-type: none"> Accepts accountability. Adaptable to changing corporate policies.

B919

Competencies

4) What are your two strongest areas? Explain.

Very client service oriented.

Worried on client relationships.

5) What are your two areas for improvement? Explain.

More in-depth investment training and knowledge.

Advanced computer skills/proficiencies.

Competency Development Plan

During the assessment period, managers identify strengths that contribute to job effectiveness and areas that need to be improved, enhanced or developed. As a result, employees and managers establish a development plan (on-the-job assignments, task force committee, coaching, etc.). Each employee must have at least *one* developmental goal for the year.

Strengths - Identify Areas of Strength		
Competency to be Developed	Strategies	Target Date
1.		
2.		
3.		
4.		

Comments (add pages if necessary):

--

Items for consideration at future Performance Planning Meeting (add pages if necessary):

--

B920

Tom, I would like for you to review my decision to terminate a Portfolio Administrator in our Delaware Office.

History of Events:

2/11/03 Given a **Needs Improvement on her Performance Review for 2002**. Manager (Bill Becker) stressed the importance of completing projects on time and taking ownership of projects without constant monitoring.

Emphasized that Linda needs a better understanding of the product; self-study encouraged. Manager noted in the PR there would be a zero tolerance standard for lack of timely completion of projects. If any further deadlines were missed further corrective action would follow.

4/07/03 Failed to follow-up on request from manager (new manager, Gregg Landis) to review a file and run a porch. Linda did not feel that this was a priority because of other work that needed to be completed.

5/07/03 Gregg met with Linda to discuss the fact that meeting booklets that he had requested from a future meeting had not been completed. Notice had been given to Linda on 4/30/03 that managers would need these books for an upcoming meeting. They knew that she was scheduled to go on vacation and specifically wanted the books completed before she left.

5/09/03 Linda did not properly prepare an investment proposal after being given explicit instructions. The incomplete package was sent to a client.

5/19/03 Placed on **Final Written Warning for Performance**, specific issues:

Failure to determine the importance of finishing projects in a timely manner.

Lack of ownership of projects without constant monitoring

Product Knowledge and Work quality.

5/21/03 Manager requested that Linda provide updated pricing data re: 2003 Stale Price Report. Asked that this be completed by 6/20/03.

6/26/03 Manager followed up with Linda about his request from 5/21/03. Her response was that she had not had time to complete this project because she was just catching up on some others. Linda failed to notify manager prior to due date that she would not have project completed. Numerous requests have been made to Linda to notify management if a report would not be completed on time and she continues to fail to do this.

At this point, we would like to term Linda for Performance.

B921

MEL/BLOZ 695

Landis Gregg L

From: Blozis Linda J
Sent: Thursday, March 13, 2003 11:14 AM
To: Landis Gregg L
Subject: Vacation dates

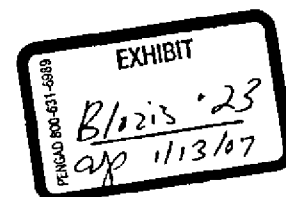
As directed, I would like the following dates, please:

Monday, May 5, 2003 thru and including Friday May 16, 2003.

Linda J. Blozis
Mellon Portfolio Administrator
(800) 842-5922
(302) 421-2208
blozis.lj@mellon.com

Brendan advised Linda on 3/18/03 that her request was partially approved. She may take 1 week of vacation at this time. We are short-staffed in the office due to Bill's promotion and the delay in replacing him. Linda had a 2-week vacation in December 2002. It was felt that she should take just 1 week at this time to maintain office coverage. G

4/8 - Linda asked for 6 days, and we agreed. She will be out 5/2, 5/5, 5/6, 5/7, 5/8 + 5/9.



B922

Blozis Linda J.

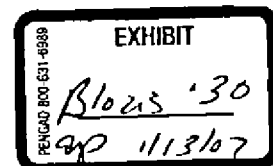
From: Blozis Linda J
Sent: Tuesday, March 18, 2003 2:47 PM
To: Landis Gregg L
Subject: Brendan

Because of my meeting with him regarding the personal aspect of his news, I was overcome with such a horrible pressure headache I can't concentrate very well this afternoon. I need to leave and regain my composure. I'll make up the 2 hrs ASAP in the near future.

Linda J. Blozis
Mellon Portfolio Administrator
(800) 842-5922
(302) 421-2208
blozis.lj@mellon.com

*Informed by B Helmore I was not
getting a bonus + Maria was. Also,
informed by B Helmore that Maria
was told this info.*

Time (2 Hrs) was made up.



P031

Landis Gregg L

m: Landis Gregg L
 Sent: Friday, May 09, 2003 5:07 PM
 To: Gilmore Brendan M
 Cc: Kochis Paul M; Thomas Rosemary C
 Subject: Linda Blozis

You asked me to report the following issues regarding Linda's job performance that were uncovered this week while she was on vacation. You also asked me to copy Paul Kochis and Rosemary Thomas on this e-mail.

1. Following a teleconference with [REDACTED] to discuss the [REDACTED] family trusts (relationship paid \$300,000 in 2002) you sketched out an investment proposal and asked Linda to type it up send it to the client. The client called this week, having received only the purchases and not the sales. We found the file copy of the recommendation, and only the purchases were sent. On the computer system, we found the cover letter and the purchases, but not the sales. Thus, our recommendation was incomplete. The whole idea of the proposal was to recommend selling overweight positions as a risk reduction tool. In your handwritten notes, the sales and purchases were on the same page. This is typically how an investment recommendation is made. It is troubling that Linda does not know how to prepare an appropriate recommendation, especially when you gave her all of the information. All she needed to do was type it and put it in the envelope. Needless to say, this made Mellon look very unsophisticated to an important client who has much more money at other institutions, ties to the community, etc.
2. On Monday 4/7/03, I gave Linda a draft investment recommendation for the [REDACTED] account. This is something I worked on at home the previous weekend because I was concerned the co-trustee has not been getting sufficient attention. When I gave the program to Linda, I wrote three directions at the bottom and dated my comments. She was asked to: (a) read the file to make sure my recommendations were in line with the stated objectives, (b) run a porch analysis on the stocks, and (c) present the information to Bruce so that he could turn my work into a formal recommendation to the co-trustee. This week, when we were looking through Linda's pending work to see if we could find the [REDACTED] program mentioned above, I came across my 4/7/03 draft investment recommendation for the [REDACTED] account. It appeared as if no work was done. I called Bruce to see if Linda had spoken with him about the project, and she had not. A full month has passed since I did the preparatory work and gave it to Linda, and she has not followed through. This is a relatively small account and not one of the "A" or "B" level relationships in our office. But it is not Linda's job to decide that assigned work should be put off. I was concerned enough about the account to take time at home over a weekend to prepare the recommendation. Linda was simply asked to review the file, run a porch, and send the work to Bruce. Our goal for assistants is ultimately to have them making first-draft investment recommendations, but Linda has proven incapable of even basic follow-up and time management. Her response will be that she has been busy with more important clients, but I find it inexcusable that this job did not get done in the past month.

I understand you will be placing Linda on final written warning next week, and will be asking Rosemary to help in the communication of this decision.

B924

Landis Gregg L

From: Kochis Paul M
Sent: Friday, May 09, 2003 5:15 PM
To: Landis Gregg L; Gilmore Brendan M
Cc: Thomas Rosemary C
Subject: RE: Linda Blozis

Rosemary, this is gross negligence or insubordination in my view. I do not understand why she can not be immediately terminated if she has no adequate answer to these serious errors, on top of what occurred last week. I think Gregg should call her and ask about these two items with Rosemary on the phone. Absent adequate explanation, I recommend that she be terminated next week upon her return.

-----Original Message-----

From: Landis Gregg L
Sent: Friday, May 09, 2003 5:07 PM
To: Gilmore Brendan M
Cc: Kochis Paul M; Thomas Rosemary C
Subject: Linda Blozis

You asked me to report the following issues regarding Linda's job performance that were uncovered this week while she was on vacation. You also asked me to copy Paul Kochis and Rosemary Thomas on this e-mail.

1. Following a teleconference with [REDACTED] to discuss the [REDACTED] family trusts (relationship paid \$300,000 in 2002) you sketched out an investment proposal and asked Linda to type it up send it to the client. The client called this week, having received only the purchases and not the sales. We found the file copy of the recommendation, and only the purchases were sent. On the computer system, we found the cover letter and the purchases, but not the sales. Thus, our recommendation was incomplete. The whole idea of the proposal was to recommend selling overweight positions as a risk reduction tool. In your handwritten notes, the sales and purchases were on the same page. This is typically how an investment recommendation is made. It is troubling that Linda does not know how to prepare an appropriate recommendation, especially when you gave her all of the information. All she needed to do was type it and put it in the envelope. Needless to say, this made Mellon look very unsophisticated to an important client who has much more money at other institutions, ties to the community, etc.
2. On Monday 4/7/03, I gave Linda a draft investment recommendation for the [REDACTED] account. This is something I worked on at home the previous weekend because I was concerned the co-trustee has not been getting sufficient attention. When I gave the program to Linda, I wrote three directions at the bottom and dated my comments. She was asked to: (a) read the file to make sure my recommendations were in line with the stated objectives, (b) run a porch analysis on the stocks, and (c) present the information to Bruce so that he could turn my work into a formal recommendation to the co-trustee. This week, when we were looking through Linda's pending work to see if we could find the [REDACTED] program mentioned above, I came across my 4/7/03 draft investment recommendation for the [REDACTED] account. It appeared as if no work was done. I called Bruce to see if Linda had spoken with him about the project, and she had not. A full month has passed since I did the preparatory work and gave it to Linda, and she has not followed through. This is a relatively small account and not one of the "A" or "B" level relationships in our office. But it is not Linda's job to decide that assigned work should be put off. I was concerned enough about the account to take time at home over a weekend to prepare the recommendation. Linda was simply asked to review the file, run a porch, and send the work to Bruce. Our goal for assistants is ultimately to have them making first-draft investment recommendations, but Linda has proven

B925

MEL/BLOZ 689

incapable of even basic follow-up and time management. Her response will be that she has been busy with more important clients, but I find it inexcusable that this job did not get done in the past month.

I understand you will be placing Linda on final written warning next week, and will be asking Rosemary to help in the communication of this decision.

B926

MEL/BLOZ 690

JUN 23 '05 12:31 FR MELLON BNK LEGAL DEPT 215 553 3415 TO 1412236054 P.02/08

4/30/03

Mar 31/03

~~Apr 13~~

Apr 24

} Instruction to L. Blozis
Co't do books
Contacted Bugg early this morn'g. First written warning
Noty left wk ~~May 12/03~~

Give Linda a call
Borderline/subordinate

B927

A-69

MEL BLOZ 683

JUN 23 '05 12:31 FR MELLON BNK LEGAL DEPT215 553 3415 TO 14122366054

P.03/08

5/01/03

Linda's mtg w/ Brenda Kilmore

+ Timber of voice
 Tone - so disruptive to other staff
 members
 Annoying / degrading

Linda age discrimination

"Other ^{assistants} producing a lot more
 for faster." Age discrimination

He talked at Linda

Linda went to Greg to see if
 Brenda's group could do.

Bill talked to Brenda, Brenda
 came to her.

It only occurred last week to
 her that they could re-assign.

B928

MEL/BLOZ 468

JUN 23 '05 12:31 FR MELLON BNK LEGAL DEPT215 553 3415 TO 14122366054

P.04/08

5/11/03

Heads and Maria did
get the job done today

Brendan's car, come + go with us
we watching him.

Shells movement - Has not refused

B929

MEL/BLOZ 469

LINDA BLOZIS FILE

I met with Rosemary Thomas of HR on 5/12/03.
She has been speaking with Linda and offered
the following observations:

- 1) Rosemary detects a strong resistance to change
on the part of Linda.
- 2) Linda said she just doesn't have the time to
complete all of her work.
- 3) Linda said she might not want to continue
working at this pace / level.

Based on recent problems -- which show the
lack of improvement from her year-end
review -- we decided to place Linda
on final written warning.



MEL/BLOZ 684

B930

Landis Gregg L

.n: Thomas Rosemary C
Sent: Friday, May 16, 2003 3:55 PM
To: Landis Gregg L
Cc: Gilmore Brendan M
Subject: Linda Blozis

Gregg, I spoke with Brendan and he suggested that you and I meet with Linda on Monday. Please let me know what time you would like to meet. Thanks.

LINDA BLOZIS

Gregg's notes re: final written warning meeting

1753

* Format

* Agenda: prelim, document, examples, time to talk

Prelim

jobs changing: fast paced; do more w/ less; learning; ^{client} sat; convs
BMG... DOK... PK... CS

2002 perf. review = needs improvement... a written warning.

discussion w/ BMG... attitude... ~~bookends~~

follow up RT: ① detected a strong resistance to change,

② said don't have the time to get all of your work done,

③ said might not want to continue @ this pace/level.

* disc. w/ me, BG & PK... RT developed final writ. warn.

Examples

• ~~books~~

- not done... push off... still not assembled... BMG aware that

MB doing significant portions of the books... assign?

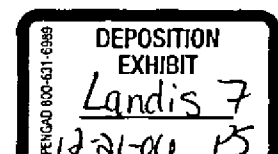
- 2 errors: ① per chart equity div ② label on YRS given

• ~~books~~

• ~~books~~

• manually proc

⇒ MEET TO SET DEADLINES



B932

MEL/BLOZ 686



original
Interoffice Memo

Date: May 19, 2003
To: Linda Blozis

From: Brendan Gilmore
Dept: Private Wealth Management
AIM:
Phone:
Fax:

AIM:

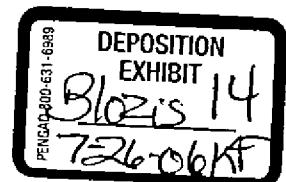
RE: Final Written Warning for Performance

Linda, we have discussed on previous occasions that your performance is not meeting my expectations as a Portfolio Administrator. These concerns were discussed in your most recent Performance Review. Unfortunately, your lack of detail and timeliness continues to need improvement. Specifically, I have concerns in the following areas:

- ☐ Failure to determine the importance of finishing projects in a timely manner.
- ☐ Lack of ownership of projects without constant monitoring.
- ☐ Product Knowledge and Work Quality. Developing a better understanding of investments in general and Mellon's investment policies and procedures, specifically, to ensure that accounts are handled appropriately.

As a result, you are being placed on Final Written Warning. You must demonstrate immediate and sustained improvement in your overall performance with special focus on the issues outlined above. If there are specific areas in which I can provide assistance in your meeting of my expectations, please let me know so that we can discuss and determine an appropriate course of action. However, if your performance continues to not meet my expectations, you may be subject to further corrective action up to and including termination of our employment.

Linda Blozis 5/19/03
Copy received - Linda Blozis



Mellon Financial Corporation
Asset Management
Institutional Asset Management
Mutual Funds
Private Wealth Management

Corporate and Institutional Services
Asset Servicing
Human Resources Services
Treasury Services

B933

For internal use only.

P042

Landis Gregg L

From: Thomas Rosemary C
Sent: Wednesday, July 02, 2003 5:49 PM
To: Gilmore Brendan M
Cc: Landis Gregg L
Subject: L. Blozis

I have approval to move on this issue. I am out of the office tomorrow and Monday and Tuesday of next week. I would like for you to wait until Wednesday when I return.

B934

MEL/BLOZ 693